

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Patrick Berry, Henrietta Brown, Nadine Little, Dennis Barrow, Virginia Roy, Joel Westvig, Emmett Williams, on behalf of themselves and a class of similarly situated individuals; and ZACAH,

Plaintiffs,

vs.

Hennepin County; Hennepin County Sheriff David Hutchinson, in his individual and official capacity; City of Minneapolis; Minneapolis Mayor Jacob Frey, in his individual and official capacity; Minneapolis Chief of Police Medaria Arradondo, in his individual and official capacity; Superintendent of the Minneapolis Park and Recreation Board Al Bangoura, in his individual and official capacity; Park Police Chief at the Minneapolis Park and Recreation Board Jason Ohotto, in his individual and official capacity; Police Officers John Does; and Police Officers Jane Does,

Defendants.

Case No. 20-cv-02189
Judge Wilhelmina M. Wright
Magistrate Judge Leo I. Brisbois

**DECLARATION OF PATTY
STRONGITHARM IN OPPOSITION
TO MOTION FOR TEMPORARY
RESTRAINING ORDER**

I, Patty Strongitharm, make this declaration pursuant to 28 U.S.C. § 1746.

1. I am a Lieutenant with the Hennepin County Sheriff's Office ("HCSO") currently serving as a Watch Commander in the Enforcement Services Division ("ESD") (formerly known as the Patrol Division). In this role, I typically supervise two (2) Sergeants and four (4) Deputies engaged in routine patrol to preserve the peace of the County. My

duties include direct supervision of assigned personnel as well as conducting patrol and community engagement duties.

2. I have worked for the Hennepin County Sheriff's Office since April 1999, when I began working as a licensed Deputy Sheriff. I have served in court security, background investigations, patrol, 9-1-1 dispatch and the jail. In 2011, I was promoted to Patrol Sergeant. I was promoted to Lieutenant in 2014 and assigned to my current position as Watch Commander in February 2019.

3. I am aware that Plaintiffs have filed a lawsuit against several defendants, including Hennepin County and Hennepin County Sheriff David Hutchinson. In the lawsuit, Plaintiffs claim that Defendants unlawfully seized and converted their personal possessions, and that Defendant violated their rights of privacy and procedural and substantive due process when they cleared several encampments of people experiencing homelessness. I am also aware Plaintiffs seek an order enjoining all Defendants from sweeping or clearing encampments from public land anywhere in Hennepin County, confiscating Plaintiffs' property until the adoption of certain policies, and destroying property belonging to Plaintiffs.

4. After Plaintiffs filed this lawsuit, I reviewed LETG which is the HCSO's record management system where deputy sheriffs file written reports documenting their official activities. These reports are created and maintained in the normal course of business, and they include, but are not limited to, required reports documenting use of force and the seizing of property.

5. The HCSO has provided transport and support at encampments of people experiencing homelessness in Minneapolis parks on three occasions: July 20, August 12, and September 24, 2020.

6. On July 20, 2020, the HCSO provided two (2) uniformed transport deputies for the homeless encampment detail at Powderhorn Park. Using a transport van, HCSO deputies transported sixteen (16) individuals, who were arrested by Minneapolis Park and Recreation Board (“MPRB”) police officers inside the park, to the Hennepin County Adult Detention Center (“ADC”), also known as the Hennepin County Jail.

7. MPRB police officers brought the arrestees to the deputies who were standing next to the transport van which was parked on a street adjacent to the park. HCSO deputies never entered Powderhorn Park nor did they make any arrests, remove any tents or seize any property.

8. HCSO deputies did not use any force, nor did they operate any heavy equipment inside the park.

9. On August 12, 2020, the HCSO provided two (2) uniformed transport deputies for homeless encampment details at Elliot and Kenwood parks. HCSO deputies did not transport any arrestees to the ADC.

10. HCSO deputies made no arrests, did not use force, did not remove any tents or seize any property, and did not operate any heavy equipment inside the parks.

11. On September 24, 2020, the HCSO provided a response team consisting of one (1) uniformed sergeant and three (3) uniformed deputies as well as two (2) uniformed

transport deputies for the homeless encampment detail at Peavey Park. HCSO personnel and transport van were in a parking lot on the outside of a fenced area of the park.

12. Additional HCSO personnel were provided in response to reports of MPRB police officers being obstructed and/or assaulted in previous details.

13. MPRB police officers were escorting a female party to the transport van when two (2) males in the crowd became disruptive, one of whom stepped in front of the police officers blocking their path and placed his hands on one of the police officers. MPRB police officers responded by pepper spraying the two males. HCSO deputies intervened by physically restraining the males while MPRB police officers placed them under arrest and they were secured with flex cuffs. The two males, as well as three (3) other individuals arrested by MPRB police officers, were transported by HCSO deputies to the ADC.

14. As an increasing number of protesters arrived at the park, the detail was ended, and all HCSO personnel left the area.

15. Other than assisting with taking the males into custody, HCSO deputies made no arrests, did not use any chemical irritants or Tasers, remove any tents or seize any property, and operate any heavy equipment in the park.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2020.

s/Patty Strongitharm

Patty Strongitharm
Lieutenant
Hennepin County Sheriff's Office